

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Prisons Department – N.H.R.C – Case No.150/1/1/2008-2009-JCD/UC –UTP 5270- Rathod Sanjeev S/o.Man Singh died on 22.5.2008 on the way to hospital in suspicious circumstances –Investigation with State CID-Orders-Issued.

HOME (PRISONS-HRC) DEPARTMENT

G.O.Ms.No. 53

DATED:28-03-2012

Read the following:-

- 1.From the Assistant Registrar (Law) NHRC, New Delhi, Letter Dtd:16.01.2012 in case No. 150/1/1/2008-2009-JCD/UC,
2. From the Director General and Inspector General of Prisons & Correctional Services, A.P., Hyderabad, Letter No.Jud-3/576 /2008, dated 14-03-2012.

* * *

O R D E R:

The Under Trial Prisoner No.5270, Rathod Sanjeev S/o Man Singh was remanded to Sub Jail, Nirmal on 29.04.2008 along with three other U.T Prisoners who were involved in the same Crime No.29/2008 of Police Station Mudhole U/s 147,148,307 r/w 149 IPC on the file of Hon'ble Judicial First Class Magistrate, Bhainsa. At the time of admission, the health condition of Prisoner, Rathod Sanjeev was good and there was no adverse report on warrant or on admission register. Prior to this, his father UT. No.5248, Rathod Maan Singh S/o Tarasingh was also admitted to the jail on 23.04.2008 along with other persons in the same crime. On 22.05.08 at about 8.00 pm the medical authorities of the Govt. Civil Hospital, Nirmal have referred the accused to the Govt. Headquarters Hospital, Adilabad through escort AR.HC., Mudhole Maruthi S/o Rama Rao and D.S. Rajeshwar, Warden, Sub Jail, Nirmal. The escort party has informed through telephone that the prisoner died just before reaching the Govt. Hospital, Adilabad. The death was confirmed by the duty doctor, Dist. Headquarter Hospital, Adilabad.

2. The Hon'ble Commission in the letter first read above, has stated that the Post Mortem Report indicated several external and internal injuries on the body of the deceased. The report also indicated the cause of the death as " blunt injury to the brainstem". The medical expert team on perusal of the record opined that the patient complained of pain and headache on 21.05.08 for which he was given treatment and was referred to District Hospital, Adilabad and on 22.05.08 there is a mention of history of beaten by known person. When the prisoner complained of severe pain in neck/back, he was referred to the higher centre. The patient was conscious when he was referred to the higher centre. For 2 days he received treatment for the pain and the cause of death mentioned in the records was blunt injury to brain stem. However, in the medical expert opinion the blunt injury to brain stem could have caused unconsciousness /instantaneous death. Further no video recording of the post mortem proceeding is available on the file. Hence, the Commission feels that the prisoner died in suspicious circumstances which must be investigated thoroughly and recommended the Chief Secretary of the State to get the matter relating to the death of Rathod Sanjeev enquired through CBCID and to submit a report by 29.03.2012.

P.T.O

::2::

3. The Director General and Inspector General of Prisons & Correctional Services, Andhra Pradesh, Hyderabad, in his letter 2nd read above, has stated that the inquest report, mentions that the prisoner died due to the injuries sustained by him on 10.04.08 in the hands of 10 members in a quarrel that ensued in Adbid Thanda Village in a land dispute, whereas the said undertrial prisoner was actually admitted to Sub Jail, Nirmal on 29.04.08 and the post mortem report shows the cause of death is due to blunt injury to the brain stem. In the circumstances stated above, the prisoner might have died due to the injuries received by him in a quarrel that ensued between two groups on 10.04.08 prior to admission in prison and the prisoner having rural background failed to express correctly to the treating doctors about the nature of injury sustained by him. Adilabad II Town Police Station has arranged the videography of the postmortem.

4. The Government after careful examination of the matter and keeping in view of the directions of the National Human Rights Commission, hereby order for investigation by the CBCID, Hyderabad, regarding the death of Rathod Sanjeev, U.T No.5270 died on 22.05.08 on the way to Govt. Headquarters hospital , Adilabad, and submit a report in the matter, immediately so as to enable the Government to submit the requisite report to NHRC as the due date for submission of report is 29.3.2012. Copies of the references read above are furnished herewith.

5. The Director General and Inspector General of Prisons & Correctional Services, Andhra Pradesh, Hyderabad, is requested to take necessary steps to furnish the details of the documents to the CBCID, Andhra Pradesh, Hyderabad and also take necessary steps for ensuring speedy investigation, including appointing a Nodal Officer, to assist the CBCID, Hyderabad as per the instructions issued in the U.O.Note No.1067/L&O-1/A1/2000-4, dated 30-10-2000 General Administration (Law & Order-1) Department.

6. This order issues with the concurrence of the Principal Secretary, Home Department vide Peshi No. 2028, dated:22-03-2012.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

CHAYA RATAN,
SPL.CHIEF SECRETARY TO GOVERNMENT

To

- 1.The Additional Director General of Police, CBCID, Hyderabad(w.e)
- 2.The Director General and Inspector General of Prisons & Correctional Services, Andhra Pradesh, Hyderabad.

Copy to

- The General Administration (HRC) Department.
The Home (SC.B) Department.
The Law (E) Department.
The Superintendent, Sub-Jail, Adilabad District.
The Assistant Registerar (Law), Faridkot House, Copernicus Marg,
National Human Rights Commission, New Delhi.

//FORWARDED :: BY ORDER//

SECTION OFFICER